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Subject: List of topics for LWG and EPA ESA mitigation framework meeting
Date: 05/19/2010 11:18 AM

Chip,

Per your request to Bob Wyatt last Wednesday, please see below list of topics for the ESA mitigation framework meeting to be scheduled with the LWG and EPA. Bob Wyatt will contact you to discuss meeting dates.

- Whether EPA should engage NMFS/NOAA at this time in a programmatic consultation under section 7(a) of the ESA on the range of remediation actions being identified in the Feasibility Study in order to take that input into account in the Proposed Plan and ROD?
- If so, what is the "action" on which EPA will seek consultation?
- If so, what is the process for the consultation?
- If consultation is sought, can that be carried out at the same time that the FS development of alternatives is proceeding, so as to avoid impact on the schedule?
- With respect to the mitigation matrix currently being developed with NMFS/NOAA, are there any steps EPA needs to take to make certain this satisfies mitigation requirements under the Clean Water Act?

Please let us know if you have any questions.

Thank you,
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